

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**In re FRANKLIN BANK CORP.
SECURITIES LITIGATION**

**The HAROLD ROUCHER TRUST U/A
DTD 09/21/72, Individually and On Behalf of
All Others Similarly Situated,**

Plaintiffs

VS.

RBC CAPITAL MARKETS CORP., et al.,

Defendants

C.A. NO.: 4:08-cv-01810

CLASS ACTION

**DEFENDANT DELOITTE & TOUCHE LLP'S
RESPONSE TO THE HAROLD ROUCHER TRUST'S
MOTION FOR RELIEF FROM ABATEMENT AND TO SET A SCHEDULE**

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**ATTORNEYS FOR DEFENDANT
DELOITTE & TOUCHE LLP**

As directed by this Court's November 18, 2009 Order for Expedited Response, Deloitte & Touche LLP ("D&T") hereby notifies the Court and all Parties that it does not oppose the Harold Roucher Trust's Motion for Relief from Abatement and does not oppose the Harold Roucher Trust's concurrent request for the Court to set a briefing schedule for responses to the Preferred Stock Class' consolidated amended complaint.

Dated: November 20, 2009

Respectfully submitted,

CRUSE, SCOTT, HENDERSON & ALLEN, LLP

By: /s/ George W. "Billy" Shepherd
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Certificate Of Service

I hereby certify that on Friday, November 20, 2009, a true and correct copy of the foregoing instrument was forwarded via electronic filing to all ECF registrants in this matter.

/s/ Billy Shepherd
Billy Shepherd